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Security Council

Distr.
GENERAL

S/25878
2 June 1993

ORIGINAL: ENGLISH

LETTER DATED 2 JUNE 1993 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter dated 2 June 1993, from my President to Your Excellency.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

Annex

Letter dated 2 June 1993 from the President of the Presidency of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

As we are informed of the continuing discussions within the Security Council regarding the so-called Joint Action Program, we must emphasize certain points.

Until their mandate is reviewed with and is explicitly authorized by our Government, we cannot accept the deployment of any new United Nations mandated forces. We have presented certain questions to assist us in our evaluation. Unfortunately, the responses to these concerns have not been forthcoming. It appears, however, that the "Safe Areas" resolution proposed by the Program promoters does not:

(a) Establish a time frame to accept/implement the Vance/Owen plan and call for necessary measures to enforce the time frame;

(b) Alternative measures failing, recognize the Republic of Bosnia and Herzegovina's rights under Article 51;

(c) Apply the safe areas concept broadly enough to defend all threatened population centres, (while continuing to deny the full opportunity to defend these "non-safe areas/provinces" ourselves);

(d) Provide adequate forces and rules of engagement that clearly and effectively justify the designation of "safe areas";

(e) Address the control/neutralization of heavy weaponry, and the relocation of such weapons to target "non-safe areas";

Finally, we have over the last few days witnessed new Serbian attacks against several of our towns, including at least two "safe areas", (as well as the dangerously deteriorating humanitarian situation in another "safe area", Srebrenica). We have implored you to respond to these direct assaults on our civilians and the Security Council's authority. We wonder why you have not responded to these assaults and must come to the unfortunate conclusion that this is not for lack of an attainable mandate. What seems to be lacking is the will to confront the Serbians and the commitment to the Republic of Bosnia and Herzegovina. Precisely for this reason, we emphasize Article 51 and dependence on our efforts for self-defence, and not because it is our preference.

(Signed) Alija IZETBEGOVIC
President of the Presidency

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LETTER DATED 2 JUNE 1993 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention the statement made by my Special Representative for Cambodia at a meeting of the Supreme National Council of Cambodia on 29 May 1993 after the conclusion of the polling period in the election in Cambodia from 23 to 28 May 1993. In this statement, which I endorse fully, my Special Representative declared that the conduct of the election had been free and fair.

After the completion of the counting of votes, which is now proceeding, a determination will be made, as provided under the Paris Agreements, on the freeness and fairness of the entire election process.

(Signed) Boutros BOUTROS-GHALI

Annex

Statement by the Special Representative of the Secretary-General for Cambodia at the Supreme National Council of Cambodia

29 May 1993

Your Royal Highness, distinguished members of the Supreme National Council, Your Excellencies, ladies and gentlemen,

Last night the six-day polling period of the Cambodian elections ended. As I speak, the counting of the ordinary ballots and the verification and counting of the tendered ballots is proceeding. The ordinary ballots are being counted in provincial centres and in Phnom Penh. The tendered ballots are being verified and counted in Phnom Penh only. We will be announcing figures twice a day in each Province starting later today, and I would expect that we can complete the count of ordinary ballots nationwide by early next week.

The verification and counting of the tendered ballots will take a little longer. However, since tendered ballots accounted for only about 7 per cent of the total, and since tendered ballots were cast in most cases because voters were voting outside the Province in which they had registered rather than because they had lost their cards, verification can be completed in a relatively short time. The total vote count can probably therefore be completed and announced within the week.

At our last meeting, which took place on 20 May, after the end of the electoral campaign but before the beginning of the polling, I announced that acceptable conditions existed for the holding of the election, on the basis of the conduct of the campaign and the peaceful holding of public meetings and rallies by hundreds of thousands of Cambodians.

The polling began on schedule on Sunday, 23 May. It proceeded without serious incident until Friday, 28 May. For the first three days fixed polling stations operated in tandem with smaller mobile teams, and for the last three days mobile teams only were in operation.

The election took place in every district of every Province of Cambodia, except for two districts in Siem Reap Province. According to the latest figures, a total of 4,242,454 registered voters, representing some 89.04 per cent of the electorate exercised their right to cast their ballots. In our view, they did so without fear in an atmosphere of calm that was almost completely free of violence and intimidation. There was no significant disruption of the polling.

Some technical difficulties arose. These included the rupture of several plastic seals and some padlock seals in transit owing to the very rough condition of the roads and complaints about the indelible ink and the use of pencils in some Provinces. These difficulties were immediately dealt with in close consultation with the party agents, who exercised their right to observe the polling in a responsible and vigilant manner. The process was observed in

its entirety by international observers, including a multinational group from the Inter-Parliamentary Union, and by the local and international media.

In conclusion, on behalf of the Secretary-General and of the United Nations, I have no hesitation in declaring that the conduct of the elections was free and fair. I wish to pay the warmest possible tribute to the Cambodian people who, through their courage, patience, good humour and commitment to peace and democracy, delivered a stinging rebuke to the men of violence and to those who tried to prevent them from exercising their inalienable rights. I also wish to express my deep gratitude to His Royal Highness Prince Norodom Sihanouk, Head of State and President of the SNC, for his precious support for the elections, as evidenced by his return to his country on the eve of polling.

Whichever party gets the largest share of the votes, the outright winners in this election are clearly the people of Cambodia. I salute them, and I wish, through His Royal Highness Prince Norodom Sihanouk and the other distinguished members of the SNC, to thank them wholeheartedly for placing their confidence in the impartiality of UNTAC. I shall never forget the spontaneity and enthusiasm of ordinary Cambodians which I was able to observe everywhere I went during the polling period. Let me read a passage from a report by an UNTAC officer from Kompong Cham Province describing the turnout as "overwhelming": "People want to vote. The general spirit is festive. People walked long distances in the rain on the first day. People coming out of polling stations are happy, even jubilant. People are laughing and joking outside of sites. Crowds packed into the back of large trucks are singing and dancing. Crowds of children and adults line the roadways to watch the ballot box convoys on their trips in the evenings, waving and smiling."

This outpouring of popular will should reinforce the commitment the parties have already made to respect the results of the election. The United Nations Security Council has reminded all the Cambodian Parties of their obligations under the Paris Agreements to comply fully with the results of the election. The determination of the election as free and fair does place a strict obligation on all participants to abide by the people's choice, whatever it may be.

Immediately following the completion of the count I will announce the determination of the United Nations as to whether or not the count itself was conducted in a free and fair manner. The list of members of the Constituent Assembly will then be drawn up on the basis of those certified results and publicly announced. The date and venue of the first meeting of the Assembly will then be fixed.

UNTAC stands ready to assist the honourable members of the Constituent Assembly in every appropriate manner, including helping to set up its secretariat. A draft set of rules of procedure has already been drawn up for its consideration. I am in close consultation with His Royal Highness Prince Norodom Sihanouk, President of the SNC, as to the ways and means of coping effectively with the post-electoral situation, which will no doubt be complex. I wish to propose that the modalities of the Assembly's functioning and its relationship with UNTAC, with the SNC and with the existing administrative authorities, be discussed at the next meeting of the SNC on 5 June 1993.

I would like to conclude my statement by quoting from a message I have received from Dr. Boutros Boutros-Ghali, Secretary-General of the United Nations. "The successful holding of the election is not the end, but the beginning of what we hope will be an exciting journey for the Cambodian people along the road of national healing" and the rehabilitation and reconstruction of the country, which is so much desired.